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OGC Has Reviewed

4 April 1947

General Counsel

Assistant Chief, Fiscal Section

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Transmitted herewith for your consideration are Notices of Exception, applicable to the travel accounts of [REDACTED] and [REDACTED] [REDACTED] together with related papers.

Those cases were previously furnished your office for consideration of the holding of the General Accounting Office and were returned by you under date of 11 October 1946 with a statement indicating that you communed in general with the General Accounting Office.

We are now attempting to make reply to the exceptions and in our search for justification of the expenses we have examined various regulations that apparently do not apply in these cases but which may be used to some extent in drafting replies. Attention is invited to War Manpower Commission Directive No. 10, Para. 6, of which provides as follows:

"Any employee whose transfer is to be directed pursuant to this directive without the consent of such employee shall be afforded, prior to such transfer, a fair opportunity to present to the Civil Service Commission evidence that the proposed transfer is inequitable or will impose upon him an undue hardship. No employee shall, without his consent, be transferred to a position at a lower salary than he received at the time such transfer is directed, nor shall any employee, without his consent be transferred to a position beyond reasonable commuting distance from his home unless the department or agency concerned shall reimburse the employee for the cost of transporting himself, his immediate family, and his household goods, in accordance with Government regulations."

Attention is also invited to Civil Service Departmental Circular No. 493, Supplement 2, which provides in part: "----The employee will, therefore, be entitled to payment of the transportation expenses specified whenever the Commission authorizes his transfer to a position beyond a reasonable commuting distance from his home under the provisions of section 2 (a) of War Service Regulation IX. Regulation IX will not serve as authority for payment of transportation expenses in any other case."

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While it is true that neither of the employees fall within the categories set out above, due to the fact that [REDACTED] was not transferred from

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another position and [REDACTED] was not transferred under author-
ization of section 2 (a) of War Service Regulation IX, it is thought
that same explanation might be offered to allow payment in view of
the fact that OSS .002 funds were charged.

Your aid in drafting a suggested reply to the General Accounting
Office will be greatly appreciated.

Please return the complete files to this office with your reply.

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[REDACTED]
Assistant Chief
Fiscal Section

Enclosure: